

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ANTON HECHENBERGER,)
)
Defendant.)

CASE NO. CR05-56 TSZ

DETENTION ORDER

Offense charged:

Count I: Traveling to Engage in Illegal Sexual Activity with a Minor, in
violation of Title 18, U.S.C., Section 2423(b).

Date of Detention Hearing: August 25, 2005.

The Court, having conducted an uncontested detention hearing pursuant to Title
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for
detention hereafter set forth, finds that no condition or combination of conditions which the
defendant can meet will reasonably assure the appearance of the defendant as required and
the safety of any other person and the community. The Government was represented by
David Jennings. The defendant was represented by Jay Stansell.

The Government filed a Motion for Detention, to which the defendant stipulated.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) There is probable cause to believe the defendant committed the offense.

The offense involves a minor. There is therefore a rebuttable presumption against the defendant's release based upon both dangerousness and flight risk, under Title 18 U.S.C. § 3142(e).

(2) Nothing in this record satisfactorily rebuts the presumption against release for several reasons:

(a) The defendant poses a risk of nonappearance as his background and ties to the Western District of Washington are unknown or unverified; and the defendant pled guilty to charges involving the distribution of child pornography in the Eastern District of Washington and is currently awaiting to serve his sentence in that matter.

(b) Due to the nature and seriousness of the instant offense, compounded by his recent federal conviction that is similar in nature to the instant offense, release of the defendant would pose a risk of danger to the community.

(c) The defendant stipulated to detention.

(3) Based upon the foregoing information which is consistent with the recommendation of U.S. Pre-trial Services, it appears that there is no condition or combination of conditions that would reasonably assure future Court appearances and/or the safety of other persons or the community.

It is therefore ORDERED:

(1) The defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility

1 separate, to the extent practicable, from persons awaiting or serving
2 sentences or being held in custody pending appeal;

3 (2) The defendant shall be afforded reasonable opportunity for private
4 consultation with counsel;

5 (3) On order of a court of the United States or on request of an attorney for
6 the Government, the person in charge of the corrections facility in which
7 the defendant is confined shall deliver the defendant to a United States
8 Marshal for the purpose of an appearance in connection with a court
9 proceeding; and

10 (4) The clerk shall direct copies of this order to counsel for the United
11 States, to counsel for the defendant, to the United States Marshal, and to
12 the United States Pretrial Services Officer.

13 DATED this 1st day of September, 2005.

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16 Monica J. Benton
17 United States Magistrate Judge
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